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 FM AMEMBASSY AMMAN
 TO RUEHC/SECSTATE WASHDC IMMEDIATE 7849
 INFO RUEHEG/AMEMBASSY CAIRO PRIORITY 2880
 RUEHDM/AMEMBASSY DAMASCUS PRIORITY 1138
 RUEHJM/AMCONSUL JERUSALEM PRIORITY 7313
 RUEHJI/AMEMBASSY JIDDA PRIORITY 0128
 RUEHRH/USELO RIYADH PRIORITY 3853
 RUEHRO/AMEMBASSY ROME PRIORITY 1731
 RUEHTV/AMEMBASSY TEL AVIV PRIORITY 8190
 RUDKKR/AMEMBASSY TUNIS PRIORITY 2548
 RUEHDT/USMISSION USUN NEW YORK PRIORITY 4410
 BT
 C O N F I D E N T I A L AMMAN 00303

DEPARTMENT PLEASE PASS UN SECURITY COUNCIL COLLECTIVE

E.O.12356: DECL: OADR

TAGS: UNSC, PBTS, IS, JO, US, XF

 SUBJECT: LEGISLATION AFFECTING ISRAELI CITIZENS AND
 - LAND IN THE OCCUPIED TERRITORIES

REF: (A) USUN 0052, (B) TEL AVIV 00456

1. C - ENTIRE TEXT.

2. MAY WE ADD OUR VOICE TO AMBASSADOR LICHENSTEIN'S
 REQUEST FOR EXPEDITIOUS LEGAL ANALYSIS BY THE
 DEPARTMENT OF THE PROPOSED ISRAELI LEGISLATION
 AFFECTING ISRAELI CITIZENS IN THE OCCUPIED
 TERRITORIES (REF A).

3. EMBASSY TEL AVIV'S PROPOSED RESPONSE TO
 EGYPTIAN FOREIGN MINISTER ALI (REF B) IS FINE SO
 FAR AS IT GOES. BUT WE SUGGEST THE PRIMARY POINT
 AT ISSUE IS WHETHER THE LEGISLATION CONTRAVENES
 ISRAEL'S OBLIGATIONS AS AN OCCUPYING POWER UNDER
 THE FOURTH GENEVA CONVENTION. THE GOI'S BLAND
 ASSURANCES THAT THE LEGISLATION REPRESENTS
 NOTHING MORE THAN AN ATTEMPT TO DEAL PRAGMATICALLY
 WITH PROBLEMS ASSOCIATED WITH THE GROWING NUMBER
 OF ISRAELIS RESIDENT OR DOING BUSINESS IN THE
 OCCUPIED TERRITORIES SOUNDS BEGUILINGLY REASONABLE.
 BUT "PRAGMATIC" ISRAELI APPROACHES TO THE PROBLEMS
 ASSOCIATED WITH CONTINUED OCCUPATION OF THE TERRITORIES
 OVER THE YEARS HAVE NOT INFREQUENTLY RESULTED IN THE
 CEMENTING IN PLACE OF "LEGAL" REGIMES THAT ARE
 NEITHER LEGAL IN THE CONTEXT OF THE APPLICABLE
 GENEVA CONVENTIONS NOR CONSONANT WITH IMPROVING
 PROSPECTS FOR LOOSENING THE ISRAELI GRIP ON THE
 WEST BANK AND GAZA.

4. IT SHOULD BE NOTED THAT KING HUSSEIN EXPRESSED

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SERIOUS CONCERN OVER THESE PROSPECTIVE ISRAELI
LEGISLATIVE MOVES IN SEPARATE MEETINGS DURING
THE WEEKEND WITH CODEL MCHUGH AND CODEL TOWER.
HE HAS TOLD ME PRIVATELY THAT HE HAS TASKED THE
FOREIGN MINISTRY WITH PROVIDING AN ANALYSIS OF THE
LEGAL IMPLICATIONS OF THE PROPOSED LEGISLATION.
DEPENDENT ON THE NATURE OF THE LAWYERS' DETERMINATION,
THE KING HAS INDICATED HE INTENDS TO CONTACT THE
PRESIDENT ON THE ISSUE. ALL THE MORE REASON TO
HASTEN WITH OUR OWN LEGAL EVALUATION. VIETS
END OF MESSAGE

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